

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yoda et al.

Application No. 10/661,311

Filed: September 12, 2003

Confirmation No. 7825

For: SHOCK-ABSORBER UNITS FOR USE IN
A VACUUM CHAMBER FOR BRAKING
RUNAWAY MOVING OBJECTS

Examiner: Jack W. Lavinder

Art Unit: 3683

Attorney Reference No. 4641-65672-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed August 16, 2004

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450TRANSMITTAL LETTER

Enclosed is a Response to Restriction for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	28	- 50*	= 0	\$18.00	\$ 0.00
Indep. Claims	6	13**	= 0	\$86.00	\$ 0.00
Mult. Dep. Claims Fee (if not previously paid)				\$290.00	
One-month Extension of Time				\$110.00	
Two-month Extension of Time				\$420.00	
Three-month Extension of Time				\$950.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

* greater of twenty or number for which fee has been paid.

** greater of three or number for which fee has been paid.

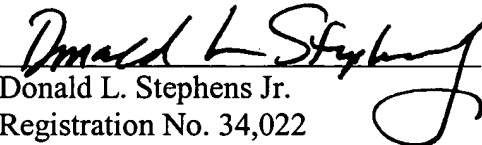
☒ No additional fee is required.☒ Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

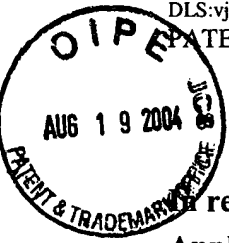
KLARQUIST SPARKMAN, LLP

By


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Docketing

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Attorney
for Applicant(s)

Donald L. Shuping

Date Mailed August 16, 2004

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RESPONSE TO RESTRICTION

This paper is submitted in reply to the restriction, dated July 22, 2004.

Applicants elect, with traverse, the claims of Species I.

In making this election, Applicants comment as follows:

First, the categorization is not understood because of the extensive overlap of certain species with other species. Consequently, the point of making the restriction in the first place is not understood.

Second, Applicants have reviewed the claims and have concluded that, with respect to Species I for example, the applicable claims are different than what are listed in the restriction. Specifically, assuming that Species I is illustrated in FIGS. 2 and 3, the applicable claims appear to be: 1-8, 13, 15-26, 36-37, 40-42, and 47-48.

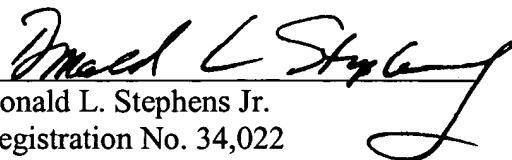
Third, the examiner baldly contends that the various species are "patentably distinct," but has provided no technical analysis or other evidence in support of that contention.

In view of the foregoing, Applicants have the impression that the restriction was not soundly based and was haphazard in its implementation.

Respectfully submitted,

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